

MINUTES OF THE REGULAR CITY COUNCIL MEETING  
CITY OF COLLEGE STATION  
FEBRUARY 12, 2015

STATE OF TEXAS           §  
                                     §  
COUNTY OF BRAZOS      §

**Present:**

Nancy Berry, Mayor

**Council:**

Blanche Brick  
Steve Aldrich  
Karl Mooney  
John Nichols  
Julie Schultz  
James Benham

**City Staff:**

Kelly Templin, City Manager  
Carla Robinson, City Attorney  
Chuck Gilman, Deputy City Manager  
Sherry Mashburn, City Secretary  
Tanya McNutt, Deputy City Secretary

**Call to Order and Announce a Quorum is Present**

With a quorum present, the Regular Meeting of the College Station City Council was called to order by Mayor Berry at 7:34 p.m. on Thursday, February 12, 2015 in the Council Chambers of the City of College Station City Hall, 1101 Texas Avenue, College Station, Texas 77840.

**1. Pledge of Allegiance, Invocation, consider absence request.**

Tanya McNutt was recognized for achieving her certification from the Texas Municipal Clerks Certification Program. Her mother, Linda Smart, presented her with the Texas Municipal Clerks pin, and flowers were presented by her daughter, Morgan. Mayor Berry presented Tanya with a framed letter.

**Citizen Comments**

Ben Roper, 5449 Prairie Dawn Ct, came before Council to honor the service and sacrifice of Captain Shawn Patrick Simms.

## CONSENT AGENDA

### 2a. Presentation, possible action, and discussion of minutes for:

- January 22, 2015 Workshop
- January 22, 2015 Regular Council Meeting

2b. Presentation, possible action, and discussion on the purchase of 30,000 rounds of 5.56 mm 56 grain TSX ammunition (\$32,370) and 80,000 rounds of Ruag .223 55 grain FMJ ammunition (\$32,000) from Black Hills Ammunition Company (Rapid City, SD) for a total amount of \$64,370.

2c. Presentation, possible action, and discussion on the purchase of training, simmunition, and on duty ammunition from G.T. Distributors (Austin, TX) for a total amount of \$71,728.22.

2d. Presentation, possible action, and discussion regarding the second renewal of an Agreement for Services with the Brazos Valley Softball Umpires Association to provide officiating services for City athletic leagues, programs and tournaments in an amount not to exceed \$190,000 per year.

2e. Presentation, possible action, and discussion on rejecting all bids for swing set repair and site work at Bee Creek and Thomas Park (Bid #14-068).

2f. Presentation, possible action, and discussion regarding the approval of separate contracts with Milsoft Utility Solutions and with Partner Software, in the amounts of \$132,450 and \$26,000 respectively, for the purchase and installation of a Geographic Information System and a Design and Project Management System.

2g. Presentation, possible action and discussion regarding the award of a three year contract (contract no. 15-063; bid no. 15-014) for Electric System Right-of-Way Clearing and Tree Trimming to All Around Tree Service, Inc. in the amount of \$1,279,137.58.

2h. Presentation, possible action, and discussion on approving an annual price agreement for the purchase of auto parts, shop equipment and services from NAPA Auto Parts (College Station, TX) through the Purchasing Solutions Alliance (PSA) contract for the amount of \$80,000.

2i. Presentation, possible action and discussion on Resolution 02-12-15-2i, revising the City's Investment Policy that was approved by Resolution 10-20-14-2e to include a section allowing the use of certain investments related to the City's Municipal Utility.

2j. Presentation, possible action, and discussion on a resolution by the City of College Station approving the purchase of property and construction of a new office building by the Brazos Central Appraisal District.

Item 2j was pulled from the Consent Agenda and was not considered.

**MOTION:** Upon a motion made by Councilmember Benham and a second by Councilmember Mooney, the City Council voted seven (7) for and none (0) opposed, to approve the Consent Agenda, less item 2j. The motion carried unanimously.

## **REGULAR AGENDA**

**1. Public Hearing, presentation, possible action, and discussion approving Ordinance 2015-3633, vacating and abandoning a 4324 square foot public utility easement, which is located on the common property line of Lots 13 & 14 of Block 3 of the Williams Creek Subdivision Phase 3 according to the plat recorded in Volume 7249, Page 292 of the Deed Records of Brazos County, Texas.**

Carol Cotter, Assistant City Engineer, reported that the public utility easement abandonment will accommodate future development of tract. She noted there are no public or private utilities in the subject portion of the easement to be abandoned.

At approximately 7:50 p.m., Mayor Berry opened the Public Hearing.

There being no comments, the Public Hearing was closed at 7:50 p.m.

**MOTION:** Upon a motion made by Councilmember Benham and a second by Councilmember Aldrich, the City Council voted seven (7) for and none (0) opposed, to adopt Ordinance 2015-3633, vacating and abandoning a 4324 square foot public utility easement, which is located on the common property line of Lots 13 & 14 of Block 3 of the Williams Creek Subdivision Phase 3 according to the plat recorded in Volume 7249, Page 292 of the Deed Records of Brazos County, Texas. The motion carried unanimously.

**2. Public Hearing, presentation, possible action, and discussion approving Ordinance 2015-3634, vacating and abandoning a 2110 square foot public utility easement, which is located on the common property line of Lots 2R-A & 3R-A of Block 5 of the Greens Prairie Center Phase 2A according to the plat recorded in Volume 11660, Page 140 of the Deed Records of Brazos County, Texas.**

Carol Cotter Assistant City Engineer, reported that the public utility easement abandonment will accommodate future development of tract. She noted there are no public or private utilities in the subject portion of the easement to be abandoned.

At approximately 7:52 p.m., Mayor Berry opened the Public Hearing.

There being no comments, the Public Hearing was closed at 7:52 p.m.

**MOTION:** Upon a motion made by Councilmember Benham and a second by Councilmember Mooney, the City Council voted seven (7) for and none (0) opposed, to adopt Ordinance 2015-3634, vacating and abandoning a 2110 square foot public utility easement, which is located on the common property line of Lots 2R-A & 3R-A of Block 5 of the Greens Prairie Center Phase 2A according to the plat recorded in Volume 11660, Page 140 of the Deed Records of Brazos County, Texas. The motion carried unanimously.

**3. Public Hearing, presentation, possible action, and discussion regarding Ordinance 2015-3635, amending Chapter 12, "Unified Development Ordinance," Section 12-4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas by amending the PDD Planned Development District for approximately 30 acres for the property situated in the Crawford Burnett League, Abstract No. 7, College Station, Brazos County, Texas, being 3.508-acre and 4.911-acre portions of the remainder of a called 108.88-acre tract as described by a deed to Heath Phillips Investments, LLC recorded in Volume 9627, Page 73 of the Official Records of Brazos County, Texas, a 8.651-acre portion of a called 29.869-acre tract as described by a deed to Heath Phillips Investments, LLC recorded in Volume 11623, Page 227 of the Official Records of Brazos County, Texas, and a 12.939-acre tract being portions of the remainder of a called 108.88-acre tract as described by a deed to Heath Phillips Investments, LLC recorded in Volume 9627, Page 73 of the Official Records of Brazos County, Texas and a called 29.869-acre tract as described by a deed to Heath Phillips Investments, LLC recorded in Volume 11623, Page 227 of the Official Records of Brazos County, Texas, generally located at the northeast, northwest, southeast and southwest corners of The Barracks II Subdivision between Old Wellborn Road and Holleman Drive South by amending the concept plan and uses for said district.**

Councilmember Schultz recused herself from this item.

Jason Schubert, Planning and Development, reported that this rezoning request is for approximately 30 acres of the existing PDD Planned Development District to revise the Concept Plan and associated uses by adding more townhouse areas. The rezoning request consists of four separate tracts of 3.508 acres, 4.911 acres, 8.651 acres, and 12.939 acres in the northeast, northwest, southeast and southwest corners of the development.

The Planning and Zoning Commission considered this item at their January 15, 2015 meeting and unanimously recommended approval. Staff also recommends approval.

At approximately 8:09 p.m., Mayor Berry opened the Public Hearing.

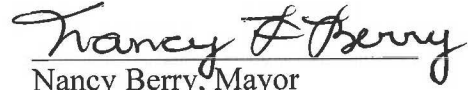
There being no comments, the Public Hearing was closed at 8:09 p.m.

**MOTION:** Upon a motion made by Councilmember Mooney and a second by Councilmember Nichols, the City Council voted six (6) for and none (0) opposed, with Councilmember Schultz recusing herself, to adopt Ordinance 2015-3635, amending Chapter 12, "Unified Development Ordinance," Section 12-4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas by amending the PDD Planned Development District for approximately 30 acres for the property situated in the Crawford Burnett League, Abstract No. 7, College Station, Brazos County, Texas, being 3.508-acre and 4.911-acre portions of the remainder of a called 108.88-acre tract as described by a deed to Heath Phillips Investments, LLC recorded in Volume 9627, Page 73 of the Official Records of Brazos County, Texas, a 8.651-acre portion of a called 29.869-acre tract as described by a deed to Heath Phillips Investments, LLC recorded in Volume 11623, Page 227 of the Official Records of Brazos County, Texas, and a 12.939-acre tract being portions of the remainder of a called 108.88-acre tract as described by a deed to Heath Phillips Investments, LLC recorded in Volume 9627, Page 73 of the Official Records of Brazos County, Texas and a called 29.869-acre tract as described by a deed to Heath Phillips Investments, LLC recorded in Volume 11623, Page 227 of the Official Records of Brazos County, Texas, generally

located at the northeast, northwest, southeast and southwest corners of The Barracks II Subdivision between Old Wellborn Road and Holleman Drive South by amending the concept plan and uses for said district. The motion carried unanimously.

**4. Adjournment.**

**MOTION:** There being no further business, Mayor Berry adjourned the Regular Meeting of the City Council at 8:10 p.m. on Thursday, February 12, 2014.

  
Nancy Berry, Mayor

ATTEST:

  
Sherry Mashburn, City Secretary



## CITIZEN COMMENT SIGN-UP FORM

Regular Meeting Date: 02/12/15  
MM / DD / YY

**\*\* Please PRINT all information \*\***

Name: Ben Roper Phone: 979-777-0382

Address: 5449 Prairie Dawn Ct

Email: broper001@hotmail.com Comments: ☐ WRITTEN ☒ ORAL

Comments are presented for: ☒ HEAR VISITORS ☐ AGENDA ITEM # \_\_\_\_\_

### FOR WRITTEN COMMENTS, PLEASE WRITE BELOW:

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☐ COMMENTS CONTINUED ON ATTACHED DOCUMENT OF \_\_\_\_\_ PAGE(S)

### FOR ORAL COMMENTS:

1. YOU MUST SIGN UP PRIOR TO THE SCHEDULED MEETING  
(At the City Secretary's Office during regular business hours, or from 5:00 p.m. to 6:45 p.m. the day of the meeting.);
2. YOU WILL HAVE ONE OPPORTUNITY TO SPEAK; AND
3. YOU MUST OBSERVE THE 3-MINUTE TIME LIMIT. (Time cannot be transferred to another speaker.)

Inquiries from speakers about matters not listed on the agenda will either be directed to the Staff or placed on a future agenda for Council consideration. **See reverse side for additional rules.**

### MAIL, FAX OR EMAIL COMPLETED FORM TO:

City of College Station  
City Secretary's Office – City Hall  
1101 Texas Avenue, College Station, Texas 77840  
Fax: 979-764-6377  
Email: [smashburn@cstx.gov](mailto:smashburn@cstx.gov)

OFFICE USE ONLY:  
(# in which received)

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# AFFIDAVIT OF CONFLICT OF INTEREST

STATE OF TEXAS  
COUNTY OF BRAZOS

I, Julie Schultz as a member of the City of College Station make this affidavit and hereby, on oath, state the following: I, and/or a person or persons related to me, have a substantial interest in a business entity that would be peculiarly affected by a vote or decision of the City Council as those terms are defined in Chapter 171, *Texas Local Government Code*.

The business entity is: Schultz Engineering, LLC

Julie Schultz (have/has) a substantial interest in this business entity for the following reasons: (Check all that are applicable.)

- ☒ I own 10% or more of the voting stock or shares of the business entity;
- ☐ I own either 10% or more or \$5,000 or more of the fair market value of the business entity;
- ☐ Funds received by me from the business entity exceed 10% of my gross income for the previous year;
- ☐ Real property is involved and (I/we) have an equitable or legal ownership with a fair market value of \$2,500 or more;
- ☐ A relative of mine has a substantial interest in the business entity or property that would be affected by a decision of the public body of which I am a member.

Upon the filing of this affidavit with the City Secretary, I affirm that I will abstain from voting on any decision involving this business entity and from any further participation on this matter whatsoever.

Signed this 12 day of February 2015

Julie Schultz  
Signature of Official

Council Member  
Title

BEFORE ME, the undersigned authority, on this day personally appeared \_\_\_\_\_, who after being by me duly sworn and on his oath deposed and says that he/she has ready the above and foregoing and that every statement contained therein is with his/her personal knowledge and is true and correct.

(stamp)

\_\_\_\_\_  
Notary Public, State of Texas



CITY OF COLLEGE STATION  
Home of Texas A&M University

College Station City Council Regular Agenda

Sign In Sheet

Thursday, February 12, 2015 at 7:00 p.m.

City Hall Council Chamber

Council Members

Steve Aldrich

Karl Mooney

John Nichols

Julie Schultz

James M. Benham

Mayor

Nancy Berry

Mayor Pro Tem

Blanche Brick

Manager

Kelly Templin

	Name	Address	Email or Phone No.
1.	Bill Lero	Brazos County Regional Dist	blero@overized.com
2.	Susan Under	Research Valley Partners	sresearch@researchvalley.org
3.	Brian Krusein	BS APP Dist	
4.	Mark Price	BC " cl	
5.	Madeline Ackerman		madeline.ackerman@gmail.com
6.	Madeline Ackerman	CS	
7.	Kaitlyn Ong	C.S.	
8.	Kourtney Harris	C.S.	
9.	Quinn Hiehl	CS	
10.	J. Beckmann	9301 Amberward Ct CS	
11.	Kinsey Knome	C.S.	
12.	Haley Wagner	C.S.	
13.	Hannah Childers	C.S.	
14.	Kyle Nugent	C.S.	
15.	Kaina Goodman	C.S.	

\*\*\*Note this not a Hear Visitors form\*\*\* To speak on a particular item please file out the Citizen Speakers Form next to sign in sheet.



CITY OF COLLEGE STATION  
Home of Texas A&M University®

College Station City Council Regular Agenda

Sign In Sheet

Thursday, February 12, 2015 at 7:00 p.m.

City Hall Council Chamber

Mayor

Nancy Berry

Mayor Pro Tem

Blanche Brick

Manager

Kelly Templin

Council Members

Steve Aldrich

Karl Mooney

John Nichols

Julie Schultz

James M. Benham

	Name	Address	Email or Phone No.
1.	<del>Vay Dayton</del> Vay Dayton	C.S.	
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\*\*\*Note this not a Hear Visitors form\*\*\* To speak on a particular item please file out the Citizen  
Speakers Form next to sign in sheet.